

APR. 15. 2005 2:21PM

MBS&S 919 854-1401

NO. 4288 P. 4/13

APPENDIX A



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,616	01/17/2001	James Russell Godwin	5577-219	7872

20792 7590 02/08/2005

MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH, NC 27627

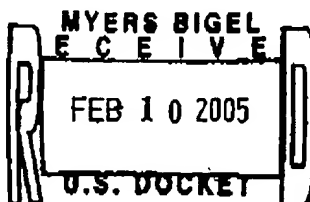
EXAMINER

COULTER, KENNETH R

ART UNIT PAPER NUMBER

2141

DATE MAILED: 02/08/2005



Please find below and/or attached an Office communication concerning this application or proceeding.

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02-10-05 A09:32 IN

Notice of Allowability	Application No.	Applicant(s)	
	09/764,616	GODWIN ET AL	
	Examiner	Art Unit	
	Kenneth R Coulter	2141	

~ The MAILING DATE of this communication appears on the cover sheet with the correspondence address ~
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- ☒ This communication is responsive to Arguments on 10/4/04.
- ☒ The allowed claim(s) is/are 1-33.
- ☒ The drawings filed on 17 January 2001 are accepted by the Examiner.
- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(e)-(d) or (f).
 - ☐ All
 - ☐ Some
 - ☐ None of the:
 - ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has **THREE MONTHS FROM THE "MAILING DATE"** of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

- ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO 152) which gives reason(s) why the oath or declaration is deficient.
- ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-946) attached
 - ☐ hereto or 2) ☐ to Paper No./Mail Date _____
 - ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____

Identifying indicia such as the application number (see 37 CFR 1.34(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
- ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 10/4/04
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____

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PTOL-37 (Rev. 1-04)

Notice of Allowability

Part of Paper No./Mail Date 20050207

Application/Control Number: 09/764,616
Art Unit: 2141

Page 2

REASONS FOR ALLOWANCE

1 The following is an examiner's statement of reasons for allowance:

The prior art of record does not specifically disclose or remotely suggest negotiating security associations (SAs) **associated with the DVIPA utilizing an Internet Key Exchange (IKE) component associated with the routing communication protocol stack.**

In addition, the Examiner points to the arguments of the Applicant (Arguments on 10/4/04; pp. 10 – 12)

A review of claims 1 - 33, in view of the Examiner's arguments above and in view of the Applicant's arguments, indicates that claims 1 - 33 are allowable over the prior art of record.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth R Coulter whose telephone number is 571 272-3879. The examiner can normally be reached on 5 4 9.

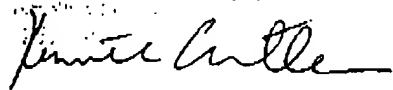
Application/Control Number: 09/764,616
Art Unit: 2141

Page 3

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

krc



Notice of References Cited

Application/Control No.

09/764,616

Applicant(s)/Patent Under
Reexamination
GODWIN ET AL

Examiner

Kenneth R Coulter

Art Unit

2141

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
X	A	US-2002/0046348 A1	04-2002	Brustoloni, Jose C.	713/201
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
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	M	US-			

FOREIGN PATENT DOCUMENTS

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	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
 Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

FORM PTO-1449 U.S. Department of Commerce
Patent and Trademark Office

Attorney Docket Number
5577-219

Serial No.
09/764,616

LIST OF DOCUMENTS CITED BY APPLICANT

(Use several sheets if necessary)

Applicants: Godwin, et al.

Filing Date: January 17, 2001

Group
2141

U. S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
<i>HMC</i>	1	6,430,622 B1	8/6/02	Aiken Jr. et al.	709	245	
<i>HMC</i>	2	US20030018813A1	1/23/03	Antes et al.	709	245	
<i>HMC</i>	3	US20020095603A1	7/18/02	Godwin et al.	713	201	
<i>HMC</i>	4	US20020095496A1	7/18/02	Godwin et al.	709	225	

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation Yes No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

<i>HMC</i>	5	U.S. Patent Application Serial No. 09/640,409, filed August 17, 2000, entitled "METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR CLUSTER WORKLOAD DISTRIBUTION" (Attorney Docket No. 5577-205).
<i>HMC</i>	6	U.S. Patent Application Serial No. 09/640,438, filed August 17, 2000, entitled "METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR FAILURE RECOVERY FOR ROUTED VIRTUAL INTERNET PROTOCOL ADDRESSES" (Attorney Docket No. 5577-206).
<i>HMC</i>	7	U.S. Patent Application Serial No. 09/640,412, filed August 17, 2000, entitled "METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR NON-DISRUPTIVELY TRANSFERRING A VIRTUAL INTERNET PROTOCOL ADDRESS BETWEEN COMMUNICATION PROTOCOL STACKS" (Attorney Docket No. 5577-207).

EXAMINER
*EXAMINER

Kenneth Bullock

DATE CONSIDERED 2/7/05

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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